

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NEW YORK

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BLACK LOVE RESISTS IN THE RUST, et al.,

Plaintiffs,

Case No. 1:18-cv-719

- vs -

CITY OF BUFFALO, N.Y., et al.,

Defendants.

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**PLAINTIFFS' NOTICE OF MOTION AND MOTION TO COMPEL NON-PARTY ERIE
COUNTY CENTRAL POLICE SERVICES TO COMPLY WITH PLAINTIFFS' MAY 17,
2019 SUBPOENA**

PLEASE TAKE NOTICE that Plaintiffs will move this Court on a return date to be determined by the Court to compel Third Party Erie County Central Police Services to comply with a subpoena duces tecum served on May 17, 2019, pursuant to Federal Rule of Civil Procedure 37(a)(2) and 45(d)(2)(B)(i).

In support of this motion, Plaintiffs file a Memorandum of Law in Support of the Motion to Compel, the Declaration of Claudia Wilner, with accompanying attachments. Pursuant to Local Rule 7(a)(1), Plaintiffs hereby state that they intend to file and serve reply papers. Pursuant to Local Rule 7(b)(2)(B), if the Court does not set deadlines by order, any opposition will be due within fourteen days of today, and any reply papers will be due within seven days of the filing of opposition papers.

Respectfully Submitted,

/s/ Claudia Wilner

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/s/ Darius Charney

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CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2019, I electronically filed the foregoing Notice of Motion, along with the accompanying Memorandum of Law and Declaration of Claudia Wilner, with exhibits, with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participants in this case:

Robert E. Quinn
City Of Buffalo Department Of Law
716-851-4326
rquinn@city-buffalo.com
Counsel for All Defendants

And, I hereby certify that on July 17, 2019, through my co-counsel Keisha Williams of the Western New York Law Center, I have served third party Erie County Central Police Services, through service on the employee listed below at the following address:

Mary Jividen
Central Police Services
Public Safety Building
45 Elm Street
Buffalo, New York 14203
(716) 858-8219

s/ Claudia Wilner